

No. 20.

DECEMBER 20, 1808.

Read the first and second time, and committed to a committee of the whole House, on Thursday next.

A Bill,

Prescribing the effect of records of judgments and decrees of courts of one state in another state.

1 Sec. 1. *BE it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled, That*
3 in any action or suit at law, or in equity, in any court of any state,
4 where a judgment or decree of any court of record, of any other
5 state, shall be offered and given in evidence, either as the ground
6 or foundation of such action or suit as aforesaid, or otherwise,
7 the record of such judgment or decree, exemplified, authenticat-
8 ed, and proved, in the manner prescribed in the act, entitled "An
9 act to prescribe the mode in which the public acts, records, and ju-
10 dicial proceedings, in each state, shall be authenticated so as to take
11 effect in every other state," shall be held, deemed and taken as
12 conclusive evidence of the debt, damages, right or thing therein

13 adjudged, or decreed, against any party thereto, who appeared or
14 was personally served with process, or had legal notice to appear
15 in the action or suit wherein such said judgment or decree was
16 rendered, had or made, but against a party not appearing, or not
17 having been personally served with process, or had legal notice
18 to appear, as aforesaid, it shall be *prima facie* evidence only :
19 *Provided always*, That nothing herein contained shall extend, or
20 be construed to extend, to prevent or preclude any party or par-
21 ties, to any such action or suit, from pleading or giving in evi-
22 dence a reversal, release, payment, satisfaction, or discharge, of
23 any such judgment or decree, or from pleading or giving in evi-
24 dence any other matter or cause of defence, either in law or equi-
25 ty, arising, or accruing, after such judgment or decree.